

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SANTA CLARA COUNTY OFFICE OF  
EDUCATION AND UNIVERSITY  
PREPARATORY ACADEMY.

OAH Case No. 2015050597

ORDER GRANTING MOTION FOR  
SECOND AMENDED COMPLAINT

On May 8, 2015, Student filed a Due Process Hearing Request (complaint), naming Santa Clara County Office of Education (SCCOE). On July 22, 2015, Student filed a motion to amend the complaint and concurrently a second amended complaint (amended complaint). OAH did not receive a response from Santa Clara County Office of Education or University Preparatory Academy.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted. The second amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

DATE: July 31, 2015

/s/

JOY REDMON  
Administrative Law Judge  
Office of Administrative Hearings